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April 25, 2011

National Practitioner Data Bank
4094 Majestic Lane, PMB-332
Fairfax, VA 22033

Via Federal Express
#7970-2468-7589

Re: Request for Secretarial Review.
Barkat S. Hooda, M.D. v. W.C.A. Service Corporation, et al; Civil Action No.
4:10-CV-05022; In the United States District Court for the Southern District
of Texas (Houston Division).
Report Number: 5500000064046116

To Whom It May Concern:

Our law firm represents Barkat S. Hooda, M.D. in the above-referenced lawsuit alleging WCA Hospital knowingly submitted false information to the NPDB. Please direct all future communications to regarding this matter to our firm.

Please consider this letter our official request for Secretarial Review of the report filed against Barkat S. Hooda, M.D. Specifically, Dr. Hooda contends:

1. The Report should not have been filed against him; and
2. The information contained in the Report is NOT a factually accurate reflection of the action taken and the reasons the action was taken.

In its complaint to the NPDB on 08/26/2010, WCA Hospital ("WCA") claims:

"INAPPROPRIATE REFUSAL TO TREAT (FA)"

"VOLUNTARY SURRENDER OF CLINICAL PRIVILEGE(S), WHILE UNDER, OR TO AVOID, INVESTIGATION RELATING TO PROFESSIONAL COMPETENCE OR CONDUCT (1635)"

and

"PHYSICIAN REFUSED TO ATTEND A DELIVERY FOR A CRITICALLY ILL INFANT WHEN HE WAS THE RESPONSIBLE PHYSICIAN ON CALL."

The claims made by WCA are false. The term "(FA)" means "failure to attend". We obtained

copies of Dr. Hooda's medical records from the day in question at WCA Hospital, proving he attended the delivery and treated the infant. If necessary, we will provide the NPDB with redacted copies of the medical records.

Additionally, Dr. Hooda accepted a new job with UTMB in Texas as an associate faculty professor on March 16, 2010 (*over 5 months before WCA filed the NPDB complaint against him*). On May 3, 2010, Dr. Hooda officially resigned from employment at WCA (*almost 4 months before WCA filed the NPDB complaint against him*).

WCA Hospital's actions in knowingly filing this false report not only damage Dr. Hooda's reputation, but also compromise the integrity of NPDB and the reporting process. It's in the best interest of all parties for this report to be stricken and voided immediately.

In support of our Request for Secretarial Review, please find enclosed with this letter the following documents:

1. "Request for Secretarial Review" – Signed by Dr. Hooda;
2. New York Department of Health letter – no professional misconduct;
3. UTMB Letter regarding WCA Correspondence – Proving WCA knew Dr. Hooda was moving to Texas in May, 2010.
4. Excerpt – Affidavit of Robert L. Daniels, M.D.; and
5. Excerpt – Affidavit of Tariq M. Khan, M.D.

Therefore, on behalf of Barkat S. Hooda, M.D., **official request is made for the NPDB to immediately strike and void the NPDB complaint filed against him by WCA Hospital.** Please do not hesitate contacting me if you have any questions or concerns whatsoever.

Very Truly Yours,

HUGHES ELLZEY, LLP

W. Craft Hughes

WCH/mga

Enclosures

cc: Barkat S. Hooda, M.D.
UTMB – Legal Affairs